

In re:  
Clemmer's Construction, LLC  
Debtor

Case No. 23-40136-jcw  
Chapter 11

## CERTIFICATE OF NOTICE

District/off: 0419-4  
Date Rcvd: Aug 04, 2023

User: AutoDkt  
Form ID: 309F2

Page 1 of 2  
Total Noticed: 14

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 06, 2023:

Recip ID	Recipient Name and Address
db	+ Clemmer's Construction, LLC, 1402 Mirror Lake Rd., Lincolnton, NC 28092-7914
tr	+ James David Nave, James David Nave, Attorney, 51 Lawrence Place, Asheville, NC 28801-1428
6510044	+ 1402 Mirror Lake Rd., Lincolnton, NC 28092-7914
6510045	+ Clemmer's Landscape, Inc., 1402 Mirror Lake Rd., Lincolnton, NC 28092-7914
6510047	+ Concrete Supply Co., 3823 Raleigh St., Charlotte, NC 28206-2042
6510048	+ Crete Solutions, 130 Neelys Creek Rd., Rock Hill, SC 29730-8148
6510050	+ Michael Clemmer, 1402 Mirror Lake Rd., Lincolnton, NC 28092-7914

TOTAL: 7

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
aty	Email/Text: rkjpa@bellsouth.net	Aug 04 2023 18:15:00	R. Keith Johnson, 1275 South Hwy 16, Stanley, NC 28164
smg	Email/Text: sbse.cio.bnc.mail@irs.gov	Aug 04 2023 18:15:00	Internal Revenue Service, Special Procedures Section, 320 Federal Place, Room 335, Greensboro, NC 27401
smg	Email/Text: atreorg@sec.gov	Aug 04 2023 18:15:00	Securities and Exchange Commission, Atlanta Regional Office, 3475 Lenox Road, N.E., Suite 1000, Atlanta, GA 30326-1232
smg	Email/Text: USANCW.Bankruptcy-eNotices-Asheville@usdoj.gov	Aug 04 2023 18:15:00	United States Attorney, Federal Courthouse Rm. 233, 100 Otis Street, Asheville, NC 28801-2608
6510046	+ Email/Text: legalrequest@commercialcreditgroup.com	Aug 04 2023 18:15:00	Commercial Credit Group, 525 N. Tryon St., Ste. 1000, Charlotte, NC 28202-0210
6510051	+ Email/Text: bankruptcynotices@ncdor.gov	Aug 04 2023 18:15:00	NC Department of Revenue, P. O. Box 25000, Raleigh, NC 27640-0100
6510052	+ Email/Text: bankruptcynotice@westlakefinancial.com	Aug 04 2023 18:15:00	Westlake Financial, 4751 Wilshire Blvd., #100, Los Angeles, CA 90010-3847

TOTAL: 7

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
6510049	*P++	INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346, PHILADELPHIA PA 19101-7346, address filed with court., Internal Revenue Service, 320 Federal Place, Greensboro, NC 27401

TOTAL: 0 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

District/off: 0419-4

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## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 06, 2023

Signature: /s/Gustava Winters

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 4, 2023 at the address(es) listed below:

Name	Email Address
James David Nave	jdnave1@charter.net
R. Keith Johnson	on behalf of Debtor Clemmer's Construction LLC rkjpa@bellsouth.net
U.S. Bankruptcy Administrator Office	alexandria_p_kenny@ncwba.uscourts.gov ba_desk@ncwba.uscourts.gov

TOTAL: 3

**Information to identify the case:**

Debtor Clemmer's Construction, LLC EIN: 88-3539899  
Name  
United States Bankruptcy Court Western District of North Carolina Date case filed for chapter: 11 8/3/23  
Case number: 23-40136

**Official Form 309F2 (For Corporations or Partnerships under Subchapter V)**

**Notice of Chapter 11 Bankruptcy Case**

10/20

**For the debtor listed above, a case has been filed under chapter 11 of the Bankruptcy Code. An order for relief has been entered.**

**This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.**

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtor or the debtor's property. For example, while the stay is in effect, creditors cannot sue, assert a deficiency, repossess property, or otherwise try to collect from the debtor. Creditors cannot demand repayment from the debtor by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees.

Confirmation of a chapter 11 plan may result in a discharge of debt. A creditor who wants to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadline specified in this notice. (See line 12 below for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at <https://pacer.uscourts.gov>).

**The staff of the bankruptcy clerk's office cannot give legal advice.**

**Do not file this notice with any proof of claim or other filing in the case.**

<b>1. Debtor's full name</b>	Clemmer's Construction, LLC	
<b>2. All other names used in the last 8 years</b>		
<b>3. Address</b>	1402 Mirror Lake Rd. Lincolnton, NC 28092	
<b>4. Debtor's attorney</b> Name and address	R. Keith Johnson 1275 South Hwy 16 Stanley, NC 28164	Contact phone 704-827-4200 Email: rkjpa@bellsouth.net
<b>5. Bankruptcy trustee</b> Name and address	James David Nave James David Nave, Attorney 51 Lawrence Place Asheville, NC 28801	Contact phone 615-430-9511 Email: jdnave1@charter.net
<b>6. Bankruptcy clerk's office</b> Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at <a href="https://pacer.uscourts.gov">https://pacer.uscourts.gov</a> .	401 West Trade Street Charlotte, NC 28202	Hours open: 8:30 am – 4:00 pm Contact phone 704-350-7500 Date: 8/4/23

**For more information, see page 2 >**

Debtor **Clemmer's Construction, LLC**

Case number **23-40136**

<p><b>7. Meeting of creditors</b></p> <p>The debtor's representative must attend the meeting to be questioned under oath. Creditors may attend, but are not required to do so.</p>	<p><b>September 6, 2023 at 01:00 PM</b></p> <p>The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.</p>	<p>Location:</p> <p><b>Appear by Video – Meeting Info, <a href="http://www.ncwba.uscourts.gov/zoom341s">www.ncwba.uscourts.gov/zoom341s</a>, 704-350-7587</b></p>
<p><b>8. Proof of claim deadline</b></p>	<p><b>Deadline for filing proof of claim:</b></p> <p><b>For all creditors (except a governmental unit):</b> 10/12/23</p> <p><b>For a governmental unit:</b> 10/12/23</p> <p>A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be obtained at <a href="http://www.uscourts.gov">www.uscourts.gov</a> or any bankruptcy clerk's office.</p> <p>Your claim will be allowed in the amount scheduled unless:</p> <ul style="list-style-type: none"> <li>• your claim is designated as <i>disputed</i>, <i>contingent</i>, or <i>unliquidated</i>;</li> <li>• you file a proof of claim in a different amount; or</li> <li>• you receive another notice.</li> </ul> <p>If your claim is not scheduled or if your claim is designated as <i>disputed</i>, <i>contingent</i>, or <i>unliquidated</i>, you must file a proof of claim or you might not be paid on your claim and you might be unable to vote on a plan. You may file a proof of claim even if your claim is scheduled.</p> <p>You may review the schedules at the bankruptcy clerk's office or online at <a href="https://pacer.uscourts.gov">https://pacer.uscourts.gov</a>.</p> <p>Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits a creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.</p>	
<p><b>9. Exception to discharge deadline</b></p> <p>The bankruptcy clerk's office must receive a complaint and any required filing fee by the following deadline.</p>	<p>If § 523(c) applies to your claim and you seek to have it excepted from discharge, you must start a judicial proceeding by filing a complaint by the deadline stated below.</p> <p><b>Deadline for filing the complaint:</b> 11/6/23</p>	
<p><b>10. Creditors with a foreign address</b></p>	<p>If you are a creditor receiving notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.</p>	
<p><b>11. Filing a Chapter 11 bankruptcy case</b></p>	<p>Chapter 11 allows debtors to reorganize or liquidate according to a plan. A plan is not effective unless the court confirms it. You may receive a copy of the plan and a disclosure statement telling you about the plan, and you may have the opportunity to vote on the plan. You will receive notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. The debtor will generally remain in possession of the property and may continue to operate the debtor's business.</p>	
<p><b>12. Discharge of debts</b></p>	<p>Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See 11 U.S.C. § 1141(d). A discharge means that creditors may never try to collect the debt from the debtor except as provided in the plan. If you want to have a particular debt owed to you excepted from the discharge and § 523(c) applies to your claim, you must start a judicial proceeding by filing a complaint and paying the filing fee in the bankruptcy clerk's office by the deadline.</p>	